

Grant County Planning Commission

January 23rd, 2006

The January 23rd 2006 regular meeting of the Planning Commission was called to order by Chairman John Lawrence at 7:00 p.m.

Those in attendance: John Lawrence, Bill Marksberry, Nick Kinman, Nancy Duley, Brooke Rider, Marvin Faulkner, William Covington, Vernon Webster, Howard Brewer, Marlon Kinsey, Dan Bates, Attorney: Tom Nienaber, Engineer: Ray Erpenbeck, Becky Ruholl

There was a quorum present.

ITEM 1: MINUTES

Marvin Faulkner made a motion to approve the November 2005 meeting minutes, Nick Kinman seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 2: NOVEMBER & DECEMBER FINANCIAL REPORT

Howard Brewer made a motion to approve the November financial report, Brooke Rider seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

Marlon Kinsey made a motion to approve the December financial report, Nick Kinman seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 3: ADMINISTRATORS REPORT

Becky Ruholl reminded the Commission that there would be a special meeting on February 2nd.

ITEM 4: TEXT AMENDMENT - CITY OF WILLIAMSTOWN

no one was present to represent the application

Nick Kinman made a motion to table the request, Marlon Kinsey seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 5:

APPLICANT: Gene Evans

GENERAL LOCATION: 4325 Dixie Hwy., Dry Ridge, KY 41035

REQUEST: Agricultural One (A-1) to Residential One E (R1E).

Dan Bates removed himself from all voting and discussion.

Nancy Duley stated that the subcommittee had met with the applicant and she read the findings of fact in support of the recommendation of approval for the requested zone change. They were as follows:

1. The proposed Zoning Map Amendment is in conformity with the existing Comprehensive Plan in that the requested Zoning Map Amendment meets the elements of the Comprehensive Plan, including the land use element; transportation element; public utilities and services element; and housing element.
2. The proposed project has adequate access to transportation facilities in that it is located on US Highway 25 with adequate means of ingress and egress to the project.
3. The density of the proposed project being approximately 2.8 homes per acre is within the density guidelines for the proposed zoning classification.
4. The buffering elements which the developers have agreed to implement offer a reasonable transition to adjoining property uses and makes the proposed project compatible with the land use in the area.
5. The proposed project offers adequate recreational and internal public use facilities, including play areas and shelter houses for use by the residents.
6. The developer has submitted and agreed to establish a Homeowner's Association and to place upon the land use within the proposed development a declaration of covenants, conditions and restrictions which

render the proposed development compatible with the general area. The proposed development is serviced by adequate public facilities, including gas, water and sewer. Although sewer is currently not available to the site, the developer has acknowledged that no development would take place until such time as adequate public sewer facilities are extended to the development.

7. The proposed style and architectural design for the homes proposed in the project are compatible with the surrounding property uses.
8. The developer has agreed to adequately insure that fencing is constructed along the property line of the adjoining farm property in an effort to minimize conflict between the proposed development and the adjoining farming operations.
9. Entrances for ingress and egress to the proposed development on US Highway 25 have been adequately designed to insure traffic safety.
10. The traffic study submitted by the developer indicated that the road system servicing the development (i.e US Highway 25) will not be overburdened by the proposed development.
11. The proposed development is compatible with the adjoining and surrounding land uses in that the developer has agreed to various conditions concerning the proposed development, a copy of those conditions being incorporated herein. Provided the developer implements the conditions as set forth in the attached, the request zoning map amendment is appropriate.

Nancy Duley stated that the following conditions were recommended by the Zone Change Sub-Committee:

1. A 4ft. berm, above street level, shall be constructed along Bannister Pike and US 25. The height of the berm shall be measured from the center of Bannister Pike and US 25. The maximum slope of the berm shall be 3:1. The berm shall be constructed during Phase 1 development.
2. Evergreen trees shall be planted on top of the berm. Trees shall be minimum 4ft. in height and live a time of planting and shall be planted in 2 rows staggered at 15 ft. intervals.
3. A 6ft. chain link fence shall be installed along the property line of Stone. The fence shall be constructed in accordance with KDOT standards for chain link fence. The adjoining property owner must agree to the installation of the fence. The fence must be completed by the end of Phase 1.
4. A 4ft. or 6ft. chain link fence shall be installed along the property line of Bates. The fence shall be constructed in accordance with KDOT standards for chain link fence. The adjoining property owner must agree to the installation of the fence. The fence must be completed by the end of Phase 1.
5. Deed restrictions (as attached), with the amendment to the square footage of the homes to state that the calculations of the square footage shall not include the basement, shall be recorded with no substantial changes.
6. A street entrance on Bannister Pike, as required by the Grant County Subdivision Regulations, shall be constructed in the area of lots 180, 181 and 182.
7. The central entrance to the subdivision from US 25 shall be 30 ft. wide tapering to 25 ft. wide at the intersections of the interior street.
8. A left turn lane into the subdivision shall be constructed with Phase 1 for northbound traffic access to the development.
9. Playground equipment shall be installed in the area of the southern most lake by the end of Phase 1.
10. Playground equipment and picnic shelter shall be constructed at the northern most lake by the end of Phase 2.

The Commission reviewed copies of the updated concept plan showing the changes that had been made. Becky Ruholl stated that the applicants had agreed to all the conditions. Mr. David Wallace stated that they did agree to the conditions.

Nancy Duley made a motion to forward a recommendation of approval of the request based on the following findings of fact: **1.** The proposed Zoning Map Amendment is in conformity with the existing Comprehensive Plan in that the requested Zoning Map Amendment meets the elements of the Comprehensive Plan, including the land use element; transportation element; public utilities and services element; and housing element. **2.** The proposed project has adequate access to transportation facilities in that it is located on US Highway 25 with adequate means of ingress and egress to the project. **3.** The density of the proposed project being approximately 2.8 homes per acre is within the density guidelines for the proposed zoning classification. **4.** The buffering elements which the developers have agreed to implement offer a reasonable transition to adjoining property uses and makes the proposed project

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compatible with the land use in the area. **5.** The proposed project offers adequate recreational and internal public use facilities, including play areas and shelter houses for use by the residents. **6.** The developer has submitted and agreed to establish a Homeowner's Association and to place upon the land use within the proposed development a declaration of covenants, conditions and restrictions which render the proposed development compatible with the general area. The proposed development is serviced by adequate public facilities, including gas, water and sewer. Although sewer is currently not available to the site, the developer has acknowledged that no development would take place until such time as adequate public sewer facilities are extended to the development. **7.** The proposed style and architectural design for the homes proposed in the project are compatible with the surrounding property uses. **8.** The developer has agreed to adequately insure that fencing is constructed along the property line of the adjoining farm property in an effort to minimize conflict between the proposed development and the adjoining farming operations. **9.** Entrances for ingress and egress to the proposed development on US Highway 25 have been adequately designed to insure traffic safety. **10.** The traffic study submitted by the developer indicated that the road system servicing the development (i.e US Highway 25) will not be overburdened by the proposed development. **11.** The proposed development is compatible with the adjoining and surrounding land uses in that the developer has agreed to various conditions concerning the proposed development, a copy of those conditions being incorporated herein. Provided the developer implements the conditions as set forth in the attached, the request zoning map amendment is appropriate.

With the following conditions: **1.** A 4ft. berm, above street level, shall be constructed along Bannister Pike and US 25. The height of the berm shall be measured from the center of Bannister Pike and US 25. The maximum slope of the berm shall be 3:1. The berm shall be constructed during Phase 1 development. **2.** Evergreen trees shall be planted on top of the berm. Trees shall be minimum 4ft. in height and live a time of planting and shall be planted in 2 rows staggered at 15 ft. intervals. **3.** A 6ft. chain link fence shall be installed along the property line of Stone. The fence shall be constructed in accordance with KDOT standards for chain link fence. The adjoining property owner must agree to the installation of the fence. The fence must be completed by the end of Phase 1. **4.** A 4ft. or 6ft. chain link fence shall be installed along the property line of Bates. The fence shall be constructed in accordance with KDOT standards for chain link fence. The adjoining property owner must agree to the installation of the fence. The fence must be completed by the end of Phase 1. **5.** Deed restrictions (as attached), with the amendment to the square footage of the homes to state that the calculations of the square footage shall not include the basement, shall be recorded with no substantial changes. **6.** A street entrance on Bannister Pike, as required by the Grant County Subdivision Regulations, shall be constructed in the area of lots 180, 181 and 182. **7.** The central entrance to the subdivision from US 25 shall be 30 ft. wide tapering to 25 ft. wide at the intersections of the interior street. **8.** A left turn lane into the subdivision shall be constructed with Phase 1 for northbound traffic access to the development. **9.** Playground equipment shall be installed in the area of the southern most lake by the end of Phase 1. **10.** Playground equipment and picnic shelter shall be constructed at the northern most lake by the end of Phase 2.

Howard Brewer seconded the motion. A roll call vote was taken: Bill Marksberry: yes, Nick Kinman: yes, Nancy Duley: yes, Brooke Rider: yes, Marvin Faulkner: yes, William Covington: yes, Vernon Webster: yes, Howard Brewer: yes, Marlon Kinsey: yes, Dan Bates: not voting. Motion passes.

ITEM 6: HARBOUR POINTE PHASE 2 - IMPROVEMENT PLAT

Chairman John Lawrence read a letter from Erpenbeck Engineers recommending approval of the plat

Nick Kinman made a motion to approve the plat, Marvin Faulkner seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 7: CONVEYANCE PLATS - NOVEMBER & DECEMBER

Bill Marksberry made a motion to approve the November & December Conveyances, Howard Brewer seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

ITEM 8: EXECUTIVE SESSION

none

ITEM 9: OTHER BUSINESS

Howard Brewer stated that the Commission has seen a lot of requests for subdivisions with lots of 8,000 square feet. He asked if the Commission could make a motion to not grant any request for lots less than ½ acres. Tom Nienaber stated that the Zoning Ordinance would have to be changed. Becky Ruholl stated that the Commission

could not decide to deny a request before it came before the Commission. She said that if the zone exists in the Ordinance than the applicant can request that zone and it is up to the Commission to decide if the request is to be approved.

Howard Brewer said that the recent Bishop, Dixon and Evans zone changes have been approved and they still aren't sure where the sewer line is going to go. He asked if they could start without knowing where the sewer line was going to be. Ray Erpenbeck said that when the developer submits the improvement plat they must show the sewer line and if they do not have that shown on the plat the plat could not be approved.

John Lawrence stated that in the near future the Comprehensive Plan and the Zoning Ordinance are going to go through some updates and at that time the lots sizes can be considered.

ITEM 10: ADJOURNMENT

Nick Kinman made a motion to adjourn, Dan Bates seconded the motion. A hand vote was taken, all members in attendance voting in favor of the motion. Motion passes.

JOHN LAWRENCE, CHAIRMAN - DATE

NICK KINMAN, SECRETARY - DATE

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